



U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

James L. Oberstar
Chairman

John L. Mica
Ranking Republican Member

David Heymsfeld, Chief of Staff
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May 1, 2009

James W. Coon II, Republican Chief of Staff

Dear Governor

Upon enactment on February 17, 2009, of the American Recovery and Reinvestment Act of 2009 ("Recovery Act") (P.L. 111-5), the Committee on Transportation and Infrastructure immediately began efforts to ensure that Federal agencies, States, metropolitan planning organizations, public transit agencies, and other recipients use Recovery Act funds to finance infrastructure investments that create and sustain family-wage jobs, contribute to our nation's long-term economic growth, and help the United States recover from the worst recession since the Great Depression.

The Committee on Transportation and Infrastructure continues to closely oversee the implementation of transportation and infrastructure provisions of the Recovery Act to ensure that the funds provided are invested quickly, efficiently, and in harmony with the job-creating purposes of this Act. To this end, we request that you provide updated specific transparency and accountability information by May 15, 2009. The Committee will request that direct grant recipients report regularly to the Committee regarding implementation of the Recovery Act.¹

BACKGROUND ON RECOVERY ACT

The Recovery Act provides \$64.1 billion of infrastructure investment authorized by the Committee on Transportation and Infrastructure to enhance the safety, security, and efficiency of our highway, transit, rail, aviation, environmental, inland waterways, public buildings, and maritime

¹ The date of this information request closely corresponds with provisions in section 1201 of the Recovery Act, which require recipients of transportation funds to report to the U.S. Department of Transportation within 90 days of the date of enactment (May 18, 2009). Although the Recovery Act does not specifically require States to provide information on the Clean Water State Revolving Fund within 90 days, this information is critical to the Committee's review of implementation of the Recovery Act. See American Recovery and Investment Act of 2009, Pub. L. No. 111-5, Title XII (2009).

transportation infrastructure. This investment includes almost \$40 billion of Federal-aid highway, public transit, and Clean Water environmental infrastructure funding under the jurisdiction of this Committee that is distributed directly to States, metropolitan areas, and public transit agencies by existing statutory formulas. These funds will enable States and other recipients to proceed immediately with “quick-hit”, ready-to-go construction projects. In addition, the Recovery Act includes specific “use-it-or-lose-it” deadlines by which States and other recipients must invest transportation and infrastructure funding provided under the Act.²

RESULTS FROM APRIL 4, 2009 TRANSPARENCY AND ACCOUNTABILITY REPORTS

On February 27, 2009, the Committee sent letters to States, the District of Columbia, Territories, metropolitan planning organizations, and public transit agencies to request information on recipients’ use of Recovery Act formula funds for highways, bridges, public transit, clean water, and other infrastructure projects under the Committee’s jurisdiction. On April 4, 2009, recipients responded to the Committee’s request for information.

As of March 31, 2009, only 42 days after President Barack Obama signed the Recovery Act into law, Governors and Chief Executive Officers of metropolitan planning organizations and public transit agencies report that 1,380 highway and transit projects in 47 States and the District of Columbia, totaling \$6.4 billion, have been put out to bid. Of the 1,380 projects, 364 highway and transit projects, totaling \$1.2 billion, are already under contract. As of March 31, work has begun on 263 of these highway and transit projects in 30 States (totaling \$1.1 billion), resulting in more than 1,250 workers getting off the bench and back on the job.

For a state-by-state breakdown of submissions received by the Committee, please visit the Committee’s website: <http://transportation.house.gov/>, and click on the blue box entitled “Transparency and Accountability Information”.

MAY 15, 2009 TRANSPARENCY AND ACCOUNTABILITY REPORTS

Please provide specific transparency and accountability information on the following transportation and infrastructure formula programs funded under the Recovery Act which are within the jurisdiction of the Committee:

- Federal Highway Administration, Highway Infrastructure Investment;³
- Federal Transit Administration, Transit Capital Assistance;⁴ and
- Environmental Protection Agency, State and Tribal Assistance Grants, Capitalization Grants for the Clean Water State Revolving Funds under Title VI of the Federal Water Pollution Control Act.⁵

² For Federal-aid Highway formula funds, 50 percent of state-administered funds must be obligated within 120 days of apportionment (June 30, 2009) and all funds must be obligated within one year of apportionment (March 2, 2010). For transit formula grants, 50 percent of funds must be obligated within 180 days of apportionment (September 1, 2009) and all funds must be obligated within one year of apportionment (March 5, 2010). *Id.*

³ *Id.*

⁴ *Id.*

For amounts received under each transportation and infrastructure formula program listed above, please provide by **May 15, 2009**, the information required by the updated reporting form and enclosed guidance. This updated reporting form and guidance replaces the reporting form and guidance issued by the Committee on March 20, 2009, and the Frequently Asked Questions issued by the Committee on March 31, 2009.

You should direct your staff to visit our website, <http://transportation.house.gov/> and click on the "Transparency and Accountability Information" box to download the updated electronic version of the May reporting form. Please do not use the April reporting form. All future updates detailing the Committee's work to ensure transparency and accountability of the Recovery Act will be posted on our website.

In your May 15, 2009 reports, recipients should report what has occurred as of April 30, 2009. We request that you report cumulative information and include data contained in your previous April reports. When listing project-specific data in Table 2, recipients should only include projects for which funds have been obligated.

FUTURE REPORTING

The Committee requests that recipients submit updated reports to the Committee by **June 15, 2009**, and **July 15, 2009** (data in these reports should reflect what has occurred as of May 31, 2009, and June 30, 2009, respectively). Please visit the Committee's website prior to submitting these subsequent reports to review and download any updated forms and information.

On April 29, 2009, the Committee held the first of a series of oversight hearings on implementation of the Recovery Act. The hearing served as a 10-week progress report for transportation and infrastructure programs under the Recovery Act and an opportunity to showcase the ability of transportation and infrastructure investments to create and sustain family-wage jobs and provide long-term economic benefits to the nation. The information submitted in your April reports proved critical to the Committee's review of Recovery Act programs. Continued direct reporting to the Committee is essential to our efforts to ensure that every state partner in federally-funded programs can deliver projects and create urgently needed employment in the tight timeframes set forth in this Act.

⁵ *Id.* Title VII.

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If you have any questions regarding this request, please have your staff contact Joseph Wender, Counsel to the Committee on Transportation and Infrastructure, at (202) 225-4472 or Joseph.Wender@mail.house.gov.

Thank you for your efforts.

Sincerely,



James L. Oberstar, M.C.
Chairman

Enclosure